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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|------------------------|---------------------|------------------|
| 09/917,435 | 07/27/2001 | William Phillip Gorman | RD - 28615 | 9715 |

31450 7590 05/05/2005

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EXAMINER

SCHLAIFER, JONATHAN D

| ART UNIT | PAPER NUMBER |
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2178

DATE MAILED: 05/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/917,435

Applicant(s)

GORMAN ET AL.

Examiner

Jonathan D. Schlaifer

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 1/3/05.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to: Amendment to Application 09/917,435 filed on 1/3/2005.
2. Claims 1-20 are pending in the case. Claims 1, 9, and 16 are independent claims. Claim 10 has been amended.
3. The objection to Claim 10 has been withdrawn as necessitated by the amendment.
4. The rejections of Claims 1, 9, and 16 under 35 U.S.C. 112, second paragraph have been withdrawn as necessitated by the argument contained within the amendment.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. **Claims 1-2, 7-11, 14-16, and 18-20 remain rejected under 35 U.S.C. 102(b) as being rejected over Towers, J. Tarin (Dreamweaver 2 for Windows and Macintosh, 1999, Peachpit Press), hereinafter Towers.**
6. **Regarding independent claim 1**, A method for developing a web page executable by a web browser (on page ix, Towers reveals that Dreamweaver is a web page development environment), the method comprising the steps of: opening a visual development environment(Towers opens a visual development window on page 4), wherein the visual development environment includes a visual representation of the web page under development (the visual development window on p. 4 contains a representation of the page); selecting a field from a plurality of field types to be included in the web page

(fields may be selectively added on page 142); inserting the selected field into the visual development environment (fields may be selectively added on page 142); customizing a visual appearance of the inserted field using a visual editor of the visual development environment (Towers describes a field property editor on page 145); customizing dynamic behavior of the inserted field using at least one additional visual editor of the visual development environment (fields are given dynamic behavior on page 233); repeating the steps of selecting a field, inserting the selected field, customizing a visual appearance of the inserted field, and customizing dynamic behavior of the inserted field until all fields are included in the web page (on page 141, Towers shows a completed form generated using this process); and generating, in a single file, program code executable by a web browser to implement the visual appearance and dynamic behavior of the selected fields inserted into the visual development environment (Towers generates a code file for a web page on page 18).

7. **Regarding dependent claim 2**, Towers discloses incorporating each inserted field into the visual representation of the web page, the incorporating of each inserted field includes incorporating the customizations to the visual appearance of the inserted field and incorporating the customizations to the dynamic behavior of the inserted field (fields may be selectively added on page 142); and displaying an updated visual representation of the web page after the step of incorporating each inserted field into the visual representation of the web page (on page ix, Towers reveals that Dreamweaver is a WYSIWYG web page development environment).

8. **Regarding dependent claim 7**, Towers discloses the step of customizing a visual appearance of the inserted field further comprises the steps of: customizing the location of the inserted field in the web page (on page 139, Towers uses a table to customize field placement); and customizing the size of the inserted field in the web page (on page 145, Towers changes the size of a field).
9. **Regarding dependent claim 8**, Towers discloses the step of generating program code, in a single file, executable by a web browser comprises the steps of: instantiating an object for each inserted field (this is inherent because they are form objects, as per page 140), each object being instantiated from a corresponding field type of the inserted field (this is inherent because they are form objects, as per page 140) and including the customizations to the visual appearance of the inserted field (this would be necessary to maintain the individuality of the object, as per page 140) and the customizations to the dynamic behavior of the inserted field (the dynamic behavior of the field is changed on page 229); providing a control engine to execute each instantiated object (when the dynamic behavior of the field is changed, this inherently includes a control engine to execute the instantiated objects; and generating at least one of HTML code and Javascript code to implement each instantiated object, the control engine and the plurality of field types (on page ix, Towers states that it is an HTML tool, implying that HTML code is generated to reflect the page contents).
10. **Regarding independent claim 9**, it is a system designed to perform a subset of the method of claim 1. The material in the claim about the server may be rejected using the

remote site information of Towers in pages 354-355. It is rejected under essentially similar rationale to claim 1.

11. **Regarding dependent claim 10**, it is a system designed to perform a further subset of the method of claim 1. The visual editors used to create forms are detailed on pages 140-142. It is rejected under essentially similar rationale to claim 1.
12. **Regarding dependent claim 11**, it is a system designed to perform the method of claim 2. It is rejected under essentially similar rationale to claim 2.
13. **Regarding dependent claim 14**, it is a system designed to perform the method of claim 7. It is rejected under essentially similar rationale to claim 7.
14. **Regarding dependent claim 15**, it is a system designed to perform the method of claim 8. It is rejected under essentially similar rationale to claim 8.
15. **Regarding independent claim 16**, it is a computer-readable medium with instructions designed to perform the method of claim 1. It is rejected under essentially similar rationale to claim 1.
16. **Regarding dependent claim 18**, it is a computer-readable medium with instructions designed to perform the method of claim 7. It is rejected under essentially similar rationale to claim 7.
17. **Regarding dependent claim 19**, it is a computer-readable medium with instructions designed to perform subset of the method of claim 8. It is rejected under essentially similar rationale to claim 8.

18. **Regarding dependent claim 20**, it is a computer-readable medium with instructions designed to perform subset of the method of claim 8. It is rejected under essentially similar rationale to claim 8.
19. **Claims 3-4, 6, and 12 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Towers, further in view of Boezeman et al. (USPN 5,758,093—filing date 3/29/1996), hereinafter Boezeman.**
20. **Regarding dependent claim 3**, Towers discloses the step of customizing dynamic behavior of the inserted field comprises the steps of: providing a visual editor for defining properties of the inserted field in response to the selection of at least one particular field type of the plurality of field types (a properties dialog is disclosed on page 145); and providing a visual editor for defining control operations for the inserted field in response to the selection of at least one particular field type of the plurality of field types (on page 233, there is an editor for control operations). Towers fails to disclose providing a visual editor for defining error conditions for the inserted field in response to the selection of at least one particular field type of the plurality of field types. However, Boezeman discloses a graphical editor which controls error conditions in col. 5, line 55—col. 6, line 5. It would have been obvious to one of ordinary skill in the art at the time of the invention to integrate Boezeman's graphical editor of error conditions into Towers to facilitate synchronization (see col. 5, lines 55-60).
21. **Regarding dependent claim 4**, Towers discloses the step of customizing dynamic behavior of the inserted field further comprises the step of defining a plurality of states for the inserted field with the visual editor for defining properties, each state of the

plurality of states having a corresponding set of properties for the inserted field (the Properties editor on page 145-146 sets attributes for the fields).

22. **Regarding dependent claim 6**, Towers and Boezeman fail to specifically disclose the step of customizing dynamic behavior of the inserted field further comprises the step of defining at least one error condition for the inserted field with the visual editor for defining error conditions. However, the combined invention of Towers and Boezeman has the capability of defining error conditions, and it is beneficial to define error conditions because it prepares the web page for contingencies. It would have been obvious to one of ordinary skill in the art at the time of the invention to define at least one error condition because it would have prepared the web page for contingencies.
23. **Regarding dependent claim 12**, it is a system designed to perform the method of claim 3. It is rejected under essentially similar rationale to claim 3.
24. **Claims 5, 13, and 17 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Towers, further in view of Boezeman, further in view of Agarwal et al. (USPN 4,713,754—filing date 10/9/1984), hereinafter Agarwal.**
25. **Regarding dependent claim 5**, Towers discloses said step of customizing dynamic behavior of the inserted field further comprises the step of: defining events for the inserted field and defining corresponding actions for each defined event with the visual editor for defining control operations (on page 233, responses to various events are defined within Towers). However Towers and Boezeman fail to disclose defining dependencies between the inserted field and other inserted fields with the visual editor for defining control operations. However, Agarwal discloses that fields may be interrelated

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on col. 2, lines 15-40, and it was notoriously well known in the art at the time of the invention that in a visual environment such as Dreamweaver, editing would occur in a visual manner. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to allow visual establishment of field dependencies in the manner of Agarwal in the context of Towers and Boezeman in order to facilitate processing of events where fields have a relationship to each other.

26. **Regarding dependent claim 13**, it is a system designed to perform a method combining the limitations of claims 4-6. It is rejected under essentially similar rationale to these claims.

27. **Regarding dependent claim 17**, it is a computer-readable medium with instructions designed to perform a method combining the limitations of claims 4-6. It is rejected under essentially similar rationale to these claims.

Response to Arguments

28. Applicant's arguments filed 1/3/2005 have been fully considered but they are not persuasive.

29. The Applicant states that Towers is not an enabling reference. However, this is an invalid objection as Towers describes Dreamweaver, an enabled, unified program that performs the features of the Applicant's invention. Should the Applicant have a specific issue with a place where the excerpt of Towers was insufficient to characterize Dreamweaver to the Applicant, the Examiner would be happy to provide the Applicant with further content from the Towers reference.

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30. The Applicant alleges that Towers does not teach the generation of program code as a single file for execution by a web browser. However, Applicant acknowledges that Towers generates HTML files. Such files are single files for execution by a web browser. Hence, Applicant's argument is invalid.
31. Applicant takes issue as to whether the behavior modification is dynamic and whether it takes place in the visual development environment. Since Dreamweaver's behavior modification takes place over a timespan and in Dreamweaver, it clearly satisfies these conditions.
32. Applicant alleges that the form construction requires repeating certain steps and that Towers does not disclose these steps. The Examiner asserts that these steps are inherent to the form construction process and must have occurred by virtue of the form having been constructed.
33. Applicant alleges that Towers does not disclose a server, but acknowledges that Towers discloses a remote computer that provides a web site. The Examiner fails to see the distinction between such an entity and a server and continues to believe that Towers discloses as server as set forth in the Office Action.
34. Applicant alleges that the Claims rejected under 35 U.S.C. 103(a) should be allowed based on the deficiencies of Towers, but as noted, the Examiner believes Towers to be sound art.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

USPN 6,332,150 B1 (filing date 8/31/1998)—Khan et al. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan D. Schlaifer whose telephone number is (571) 272-4129. The examiner can normally be reached on 8:30-5:00, M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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JS



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